

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 0638MH-40982-US

U.S. PTO
10/650537
08/28/2003

In re Application of:

GREGORY G. KUELBS

Serial No. **TO BE ASSIGNED**

Filed: **HEREWITH**

For: **UMBRELLA APPARATUS**

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Examiner: **SAWHNEY, HARGOBIND S.**

Art Unit: **2875**

TRANSMITTAL

MAIL STOP: PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Please file the following enclosed documents in the subject application:

1. This Transmittal with Certificate of Express Mail;
2. Request for Continuation Application Under 37 C.F.R. § 1.53(b);
3. A copy of the Original Application and Declaration;
4. Preliminary Amendment, including two sheets of Annotated Drawings;
5. Eleven Sheets of Formal Drawings;
6. A copy of the Assertion of Entitlement to Small Entity Status from the parent application;

EXPRESS MAIL NO. "EV 233938189 US"

I hereby certify that this paper or fee is being deposited with the United States Postal Service as Express Mail "Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to Mail Stop: Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date of Deposit: 8/28/03

By: Jana E. Walcott

7. Assignment and Assignment Cover Sheet;
8. Information Disclosure Statement;
9. Form PTO-1449 and copies of the cited references;
10. Certification of No Foreign Filings Under 35 U.S.C. § 122(b)(2)(B)(i);
11. Change of Address of Agent;
12. Our check in the amount of \$415.00 to cover the \$375.00 Filing Fee and the \$40.00 Assignment Recordation Fee; and
13. Our return postcard which we would appreciate you date stamping and returning to us.

No other fees are deemed to be necessary; however, the undersigned hereby authorizes the Commissioner to charge any additional fees that may be necessary, or credit any overpayments, to Deposit Account No. **502806**.

Respectfully submitted,

8/28/03
Date

James E. Walton
James E. Walton, Reg. No. 47,245
Law Offices of James E. Walton, P.L.L.C.
1169 N. Burleson Blvd., Suite 107-328
Burleson, Texas 76028
(817) 447-9955 (Voice)
(817) 447-9954 (Fax)
jim@waltonpllc.com

ATTORNEY FOR APPLICANT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. **0664MH-40982-C**
Prior Application Serial No.: **10/068,424**
First Named Inventor: **GREGORY G. KUELBS**

Examiner: **SAWHNEY, HARGOBIND S.**
Art Unit: **2875**

MAIL STOP: PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir: This is a request for filing a ☒ **continuation**
☐ **continuation-in-part**
☐ **divisional**

application under **37 CFR 1.53(b)** of pending prior U.S. Patent Application No. **10/068,424** filed on **7 February 2002**, for **UMBRELLA APPARATUS**.

1. ☒ Enclosed is a complete copy of the prior application **including the oath or declaration as originally filed** and an affidavit or declaration verifying it as a true copy (see No. 14 below for declaration).
2. ☒ New formal drawings are enclosed.
3. ☒ A Preliminary Amendment is enclosed.
4. ☒ Our return postcard is enclosed.
5. ☒ An Assertion of Entitlement to Small Entity Status under 37 C.F.R. §§ 1.9 and 1.27 was filed in the prior application and such status is still proper and desired. A copy of the Assertion of Entitlement to Small Entity Status is enclosed.
6. ☒ Cancel in this application original claims 2-20 of the prior application before calculating the filing fee. At least one original independent claim has been retained for filing purposes.
7. ☒ Amend the specification by inserting the following sentence before the first line: "This application is a ☒ Continuation ☐ Continuation-in-Part or ☐ Division of U.S. Patent Application No. **10/068,424** filed on **7 February 2002** for **UMBRELLA APPARATUS**."

EXPRESS MAIL NO. "EV 233938189 US"

I hereby certify that this paper or fee is being deposited with the United States Postal Service as Express Mail "Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to Mail Stop: Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date of Deposit: 8/28/03

By: James E. Walts

8. _____ Priority of U.S. Patent Application No. _____, filed on _____, in _____ is claimed under 35 U.S.C. 119. The certified copy has been filed in prior U.S. Patent Application No. _____, filed _____.

9. ☒ The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION
LESS ANY CLAIMS CANCELLED BY AMENDMENT NOW

Basic Fee	\$375.00
Assignment Recordation Fee	\$40.00
Total Filing Fee:	\$415.00

10. ☒ The Commissioner is hereby authorized to charge any additional fee which may be required, or credit any overpayment, to Deposit Account No. **502806**. *A duplicate of this sheet is enclosed.*

11. ☒ A check in the amount of **\$415.00** is enclosed.

12. ☒ The prior application is assigned of record to **World Factory, Inc.**

13. ☒ The power of attorney in the prior application is to James E. Walton, Melvin A. Hunn, and Kenneth C. Hill.

- a. _____ The Power of Attorney and a Change of Address appear in the original papers in the prior application.
- b. _____ A new power of attorney is enclosed.
- c. _____ Since the power of attorney does not appear in the original papers, a copy of the power in the prior application is enclosed.
- d. ☒ Address all future communication to:

James E. Walton
Reg. No. 47,245
Law Offices of James E. Walton, P.L.L.C.
1169 N. Burleson Blvd., Suite 107-238
Burleson, Texas 76028
(817) 447-9955 (Voice)
(187) 447-9954 (Fax)
jim@waltonpllc.com

14. ☒ I hereby declare and verify that the attached papers are true and correct copies of U.S. Application Serial No. **10/068,424** filed on **7 February 2002** for **UMBRELLA APPARATUS**, and the Declaration therefor.

15. ☒ Inventorship Statement: This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this specification are less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted: **None**.

The undersigned declares further that all statements made herein of his or her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

8/28/03
Date

James E. Walton
James E. Walton
Reg. No. 47,245

Address of signatory:

Law Offices of James E. Walton, P.L.L.C.
1169 N. Burleson Blvd., Suite 107-328
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____ Inventor(s)
____ Assignee of complete interest
☒ Attorney or agent of record
____ Filed under §1.34(a)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 0638MH-40982-US

In re Application of:

GREGORY G. KUELBS

Serial No. **TO BE ASSIGNED**

Filed: **7 FEBRUARY 2001**

For: **UMBRELLA APPARATUS**

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Examiner:

Art Unit:

**ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS
UNDER 37 C.F.R. § 1.27(c)**

Box: Patent Application

Assistant Commissioner for Patents
Washington, D.C.

Sir:

Pursuant to 37 C.F.R. 1.27(c)(2)(i), the undersigned hereby asserts that **WORLD FACTORY, INC.**, owner by assignment of the entire right, title, and interest in the subject application, is a small entity as defined in 37 C.F.R. § 1.9(d) and is entitled to small entity status for purposes of paying reduced fees under Section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the subject invention.

"EXPRESS MAIL" No. EV024943769US

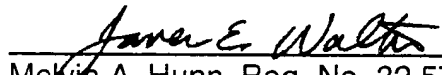
Date of Deposit: 2/7/02

I hereby certify that this paper or fee is being deposited with the United States Postal Service Express Mail "Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box: Patent Application, P.O. Box 2327, Arlington, VA 22202-0327,

by *Jana E. Walters*

Respectfully submitted,

2/7/02
Date


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Kenneth C. Hill, Reg. No. 29,650
James E. Walton, Reg. No. 47,245
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ATTORNEYS FOR APPLICANT